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House of Representatives

The House was not in session today. Its next meeting will be held on Friday, May 8, 2015, at 11 a.m.

Senate

WEDNESDAY, MAY 6, 2015

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Holy God, thank You for daily blessings and mercies, for You fill the void of our spirits with Your abiding presence. Lord, You provide us with strength for each day and hope for each tomorrow. Your ways are just and true.

Supply all the needs of our Senators. Give them wisdom to solve the complex problems of our time. Help them to express their gratitude to You with deeds of faith and compassion. Lord, use them to call us out of the night of selfish living to the sunrise of sacrifice and service. Continue to be their refuge and strength, a very present help for every trial.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. PAUL). The Democratic leader is recognized.

PRESIDENTIAL NOMINATIONS

Mr. REID. Mr. President, we have all heard the legal maxim “Justice delayed is justice denied,” and it is really applicable to what is going on in the Senate today. Here in this body, justice is being delayed by the Republican majority. The refusal of the Senate Republicans to heed their constitutional duty to provide advice and consent on judicial nominations is an injustice to the American people.

So far this year, the Senate has confirmed two judicial nominations—just two—in more than 4 months. By contrast, in 2007, my first year as majority leader during the Bush administration, we had already confirmed 16 nominations. If the Republican majority keeps up their current trend of ignoring judicial nominees, by the end of this year we will have confirmed five for an entire year. The last time the Senate confirmed so few Presidential nominations was, unsurprisingly, when we had a Republican majority here in the Senate under the Clinton administration. It is funny how history repeats itself.

The Federal courts depend on the Senate to do its job so justice can be dispensed in courtrooms all across the country. As of today, there are 55 Federal court vacancies, 24 of which are classified as emergencies. At the beginning of the year, there were only 12 judicial emergencies, but now it is double that—24. These vacancies create a backlog of cases, effectively delaying justice for plaintiffs and defendants, for prosecutors and the accused, and for the sitting judges who are trying their best to administer justice, but

they can't do their work because they are so overwhelmed with work.

This is about more than judges and lawyers. This is about the people who come before the courts, people who have cases that have been waiting and waiting. This is about a prosecutor who is going after somebody who, in their opinion, has done something really bad. We have all heard the expression “They are trying to make a Federal case out of it.” The reason they say that is because Federal prosecutors do such a great job. But if they have to wait and wait until there is availability in the courtroom, witnesses disappear and it makes it much more difficult.

What has happened to our judicial system is, because of the Republicans, we are having justice delayed. This is unconscionable.

It is no wonder Republicans are scrambling for cover on judicial nominations. They are scrambling because they have been ignoring their constitutional duty.

This afternoon, the courts are going to be looked at by the Judiciary Committee. In fact, the committee is going to hold a hearing on several delayed judicial nominations. But everyone should look at Felipe Restrepo, the President's nominee to the Third Circuit Court of Appeals. That is in Pennsylvania and other places—a very important circuit. Despite being nominated by the President 6 months ago, this man is not even going to be on the calendar. And this is what was done previously. The man, my friend, who is chair of the Committee on Finance, was chair of the Judiciary Committee

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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back in those days, and he did the same thing—just ignored them, didn't even schedule them for a hearing. Senator LEAHY has been to the floor many times—our past chair of the Judiciary Committee, now ranking member of the Judiciary Committee—talking about how bad that used to be, and now he is talking about how bad it is even today.

So Restrepo and others will not be on the agenda. Despite the fact that this Philadelphia-based seat is a judicial emergency, they just ignore people like Restrepo. They say: We only have a few people on the calendar. Why aren't there more on the calendar?

Because they won't schedule hearings. It is so unfair.

Now Restrepo won't be on the agenda in spite of the fact that the junior Senator from Pennsylvania said Restrepo would be a "superb addition to the third circuit." Why doesn't the junior Senator from Pennsylvania talk about this man being held up by his own party? There is no reason he has been held up for 6 months other than the Republicans simply want to do everything they can to create problems for President Obama. But it is not a problem for President Obama. President Obama is doing just fine. It is a problem for the people I have talked about—the prosecutors, those who are accused of crimes, plaintiffs and defendants in civil cases, and, of course, the judges.

After having heard the statement from the junior Senator from Pennsylvania, I wonder what Pennsylvanians are thinking. Are they left wondering why this qualified judicial candidate is not moving forward and not a word from the junior Senator from Pennsylvania? Not a word.

It appears Republicans are heeding calls from the far right to retaliate against President Obama by blocking judges. Republicans couldn't defend their trying to shut down the Department of Homeland Security. They tried. They tried to block Loretta Lynch's nomination, and they couldn't get that done. So now they want to block President Obama's judges.

Our courts should be above political gamesmanship. Qualified judicial nominees such as Mr. Restrepo deserve a vote in the Senate.

President Bush's judges were considered fairly when I was the majority leader, and there is no one who can say that nominees are now being handled fairly. It is certainly not unreasonable for Democrats to expect the same measure of cooperation and fairness from Republicans that I gave them. The American judicial system should not be taking a backseat to Republican politics here in the Senate, in our Nation's Capitol. If it were only the judges they are holding up, that would be one thing, but Republican Senators are holding up basically all his nominations, with rare exception. For example, the chief law enforcement officer of this country, Loretta Lynch, who is well qualified in every way—ex-

perience, education, and character—was held up for 6 months. If what they did in her case wasn't bad enough, they now are not allowing her to have the people she needs around her. They are not allowing a vote on her No. 1 assistant. It is unfair and just too bad that justice delayed is justice denied. I am sorry to say that is where we find ourselves today.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

IRAN NUCLEAR AGREEMENT REVIEW ACT AND BIPARTISAN CONGRESSIONAL TRADE PRIORITIES AND ACCOUNTABILITY ACT

Mr. MCCONNELL. Mr. President, the Senate is now nearing completion of the bipartisan Iran Nuclear Agreement Review Act. This is a bipartisan bill which is based on an important principle: that the American people, through the Congress they elect, deserve a say on one of the most important issues of our time.

This act would require that any agreement reached with Iran be submitted to Congress for a review. It would require that Congress be given time to hold hearings and to take a vote to approve or disapprove of the agreement before congressional sanctions could be lifted. It would give Congress more power to rapidly impose sanctions if Iran does cheat.

Many wish the bill were stronger. I don't disagree with them. But this is a piece of legislation worthy of our support. It offers the best chance we have to provide the American people and the Congress they elect with the power to weigh in on a vital issue. We will pursue other opportunities to address Iran's full-spectrum campaign to increase its sphere of influence in the broader Middle East as well.

I look forward to Senators of both parties coming together to pass this bipartisan Iran Nuclear Agreement Review Act soon. Once we do, the Senate will take up another measure designed to hold the administration accountable: the Bipartisan Congressional Trade Priorities and Accountability Act. This bipartisan bill is about a lot more than just expanding Congress's oversight authority. It is about delivering prosperity for the middle class and supporting jobs. It is about helping American workers sell more of what they make and farmers sell more of what they grow. It is about eliminating unfair rules in other countries that discriminate against American workers and American jobs. Remember, the United States already has one of the most open markets in the world, but other countries maintain unfair barriers against American goods and services—barriers that trade agreements can reduce or even eliminate to make things fairer for America.

That is why the United States is currently involved in negotiations with Europe and several nations in the Pacific such as Japan—in order to break down barriers to goods stamped "Made in America." That is the main point here. We want to knock down barriers to our goods stamped with "Made in America" to be sold in other countries.

One estimate shows that trade agreements with Europe and the Pacific could support as many as 1.4 million additional jobs in our country, including over 18,000 in Kentucky alone. But in order to get there, we will first need to lay down some clear and fair rules of the road for our trade negotiators. That is what the Bipartisan Congressional Trade Priorities and Accountability Act would do.

First, it would make Congress's priorities clear, issuing specific objectives for the administration's trade negotiators.

Second, it would mandate transparency, forcing the administration to consult regularly with Congress and stakeholders.

And it would reaffirm the supremacy of this body and require our exclusive approval before trade agreements are enacted.

The Bipartisan Congressional Trade Priorities and Accountability Act is good bipartisan legislation that was endorsed overwhelmingly in the Finance Committee 20 to 6. It is good for the middle class, it is good for manufacturers, and, yes, it is very good for farmers.

Here is what one Kentucky constituent—a corn, wheat, and soybean farmer from Spencer County—recently wrote to say on the issue:

We need free trade to compete with grain farms in South America. Dozens of people have jobs as a direct result of our small business: Input suppliers, truckers, mechanics and traders, just to name a few.

He went on.

Help me and all these people by expanding trade and consumption globally. Our future depends on it.

Well, I couldn't agree more with that farmer from Spencer County. Our future does depend on cultivating better opportunities for American goods, American crops, and American workers in the 21st century.

I look forward to the Senate turning to the Bipartisan Congressional Trade Priorities and Accountability Act very soon.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled